



06-16-10

ITW

Attorney Docket No.: ChG_00107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Suresh C. Srivastava, Satya P. Bajpai and Kwok-Hung Sit
Assignee of Part interest: ChemGenes Corporation
Application Serial No.: 10/768,996
Filed: January 30, 2004
Title: NOVEL OLIGONUCLEOTIDES AND RELATED COMPOUNDS
Art Unit: 1642
Examiner: Brandon J. Fetterolf, Ph.D.

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

I hereby certify that this correspondence is included in an envelope with the United States Postal Service as Express Mail under Label No. EG 371705015 US on the date signed and addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Y. Anand
Signature

Y. Anand
(Name)

6/15/2010
Date

TRANSMITTAL COVER LETTER

MAIL STOP AMENDMENT
Commissioner for Patents
P.O.Box 1450
Alexendria, VA 22313-1450

Re: Office Action dated February 18, 2010

Sir:

This reply is being filed in response to the Office Action mailed on February 18, 2010, for the above-referenced Nonprovisional Patent Application.

Applicants note with gratitude that the Examiner has withdrawn the earlier final rejection, and hereby amend claims in response to new concerns raised in the office action of 2/18/10.

No new matter has been introduced by this amendment.

Please find enclosed herewith the following documents:

06/16/2010 HDESTA1 00000039 10768996
01 FF:2251
65.00 0P

- Reply to Office Action
 - Claim Amendment, 13 pages
 - Remarks along with Appendix A, 16 pages,
Including Appendix A containing prior art references in support of
Applicants' argument, with summaries of articles cited
- Payment by credit card, Form PTO-2038, for 1-month Extension of time to reply
- Return Receipt Postcard

In the case of any further questions or deficiency, you are requested to kindly contact the undersigned representative.

Dated: June 15, 2010

Respectfully submitted,

By 
Indu M. Anand
Registration Number: 52,557
15 Green Way
Chelmsford, MA 01824
(978) 250-9003/ (617) 930-5000



IN THE CLAIMS

Please replace prior versions and listings of claims in the application with the following set of claims beginning on page 2 that follows.

Independent claims 51, 53, 74 and 75 have been amended to expressly state that the claims pertain to synthetic oligonucleotides, bringing the subject matter within the ambit of 35 USC § 101. The current amendment also clarifies the language in answer to the rejection for indefiniteness under 35 USC § 112, second paragraph.

Similar amendments, clarifications of the language and corrections of some unintentional typographical errors have been made for dependent claims 54, 57, 58, 59, 60, 61, 62, 63, 67, 68, 69, 70, 77, 78, 79, 80, 81, 82, 83, 84, and 85.

Claims 89 and 91 have been amended, changing the article from “The” to “A” in referring to the method of synthesis.

Claims 1-37, 45-50, 52 and 90 remain canceled; Claims 38-44 had previously been withdrawn, with traverse, in response to the restriction requirement.

No new matter has been introduced by this amendment.